

**MURPHY CITY COUNCIL MINUTES  
REGULAR CITY COUNCIL MEETING  
SEPTEMBER 5, 2017 AT 6:00 PM  
COUNCIL CHAMBERS  
206 NORTH MURPHY ROAD  
MURPHY, TEXAS 75094**

**1. CALL TO ORDER**

Mayor Scott Bradley called the meeting to order at 6:00 pm.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Scott Bradley led the Invocation and Pledge of Allegiance.

**3. ROLL CALL AND CERTIFICATION OF A QUORUM**

**COUNCIL PRESENT:**

Mayor Scott Bradley  
Mayor Pro Tem Jennifer Berthiaume  
Deputy Mayor Pro Tem Sarah Fincanon  
Councilmember Owais Siddiqui  
Councilmember Chris George  
Councilmember Betty Nichols Spraggins  
Councilmember Don Reilly

**COUNCIL ABSENT:**

**4. PUBLIC COMMENTS**

**Marv Williams**, resident (address on file) made several comments regarding upcoming events sponsored by the Exchange Club to include:

- 1) 9-11-17 - Flag flying on City and School properties
- 2) Patriot's Day First responders breakfast at the High School. He thanked several people and businesses for their involvement with the breakfast
- 3) November has a Veteran's emphasis by the Eand asked everyone to mark November 27, 2017 - more information to follow

**Zane Shepherd**, resident (address on file) updated Council on upcoming Chamber events to include:

- 1) 9-19-17 - Chamber luncheon to include the State of the City address by Mayor Bradley and a ribbon cutting to follow at 4:30 pm
- 2) 9-23-17 - Tri-Chamber (Murphy, Sachse and Wylie) quarterly meeting to be held in Wylie at Dickeys Barbeque
- 3) 9-30-17 - Maize Days - Pumpkin Chunkin with Dunkin
- 4) Searching for a new Director

**5. PRESENTATIONS**

- A. Presentation of the July 31, 2017 Financial Report from Karen Montgomery, Finance Director

**6. CITY MANAGER/STAFF REPORTS**

- A. South Maxwell Creek Sewer Line

Public Services Director Tim Rogers explained that all work has slowed because of wet conditions in the area.

- B. Upcoming Events

Maize Days – Saturday, September 30, 2017 from 10:00 AM till 8:30 PM at Central Park – 550 N. Murphy Road – Murphy, Texas 75094 (Parking at the Kimbrough Stadium)

National Night Out - Tuesday, October 3, 2017 from 7:00 PM till 8:30 PM - Check with your HOA's and/or neighbors about the National Night Out event that may be happening

in your neighborhood - Various locations throughout Murphy - For more information call 972-468-4200

Town Hall Meetings - Saturday, October 7, 2017 from 9:00 AM till 11:00 AM and Tuesday, October 10, 2017 from 6:30 PM till 8:30 PM in the City Council Chambers - 206 N. Murphy Road - Murphy, Texas 75094

Fall Clean & Green Event - Saturday, October 14, 2017 from 9:00 AM till NOON at the Murphy City Hall Parking Lot - Drive Through Event - 206 N. Murphy Road - Murphy, Texas 75094

Open House - Murphy Fire Department - Saturday, October 14, 2017 from 10 AM till 2 PM at the Murphy Fire Department - 206 N. Murphy Road - Murphy, Texas 75094

Drug Take Back - Saturday, October 28, 2017 from 10 AM till 2 PM at the Police Station - Drop Off Event - 206 N. Murphy Road - Murphy, Texas 75094

**7. CONSENT AGENDA**

All consent agenda items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the Consent Agenda and voted on separately.

- A. Consider and/or act to approve the August 15, 2017 Regular Council meeting minutes.  
*Susie Quinn, City Secretary*
- B. Consider and/or act to approve the August 29, 2017 Special Council meeting minutes.  
*Susie Quinn, City Secretary*

**COUNCIL ACTION (Items 7A. and 7B.):**

**APPROVED**

**Mayor Pro Tem Jennifer Berthiaume moved to approve the consent agenda as**

presented. Council Member Don Reilly seconded the motion. For: Unanimous. The motion carried by a vote of 7-0.

**8. INDIVIDUAL CONSIDERATION**

PH - To consider and/or act to approve Ordinance Number 17-08-1056 - Accessory buildings.

- A. Hold a public hearing on the proposed fiscal year 2017-2018 budget for the City of Murphy.

City Manager Mike Castro made a PowerPoint presentation that combined both agenda items 8A. and 8B.

Public Hearing opened at 6:47 pm

**Greg Matocha**, resident (address on file), spoke in favor of the budget

Public Hearing closed at 6:49 pm

**COUNCIL ACTION (Item 8A.):**

**NO ACTION**

- B. Hold a public hearing on the proposed tax rate of \$0.500000 per \$100 valuation for City Budget Year of October 1, 2017 through September 30, 2018.

City Manager Mike Castro presented this item to Council in combination with item 8A.

Public Hearing opened at 6:51 pm

Public Hearing closed at 6:51 pm

**The vote on the proposed tax rate will take place on Tuesday, September 19, 2017 at 6:00 p.m. in the City Council Chambers at Murphy City Hall, 206 North Murphy Road, Murphy, Texas.**

**COUNCIL ACTION (Item 8B.):**

**NO ACTION**

- C. Hold a public hearing and consider and/or act to approve Ordinance Number 17-09-1058 amending Chapter 30 Zoning of the Murphy Code of Ordinances, to define *Nail Salon* and add it as a Type of Land Use allowed with a Specific Use Permit (SUP) in the Retail zoning district.

A presentation was made by Tina Stelnicki, Community Development Coordinator.

Public Hearing opened at 6:55 pm

Public Hearing closed at 6:55 pm

**COUNCIL ACTION (Item 8C.):**

**APPROVED**

**Mayor Pro Tem Jennifer Berthiaume moved to approve Ordinance Number 17-09-1058 amending Chapter 30 Zoning of the Murphy Code of Ordinances, to define *Nail Salon* and add it as a Type of Land Use allowed with a Specific Use Permit (SUP) in the Retail zoning district. Deputy Mayor Pro Tem Sarah Fincanon seconded the motion. For: Unanimous. The motion carried by a vote of 7-0.**

- D. Continue the public hearing and consider and/or act to approve Ordinance Number 17-09-1059, amending Chapter 30, Zoning related to requirements for accessory buildings of the Murphy Code of Ordinances.

Jared Mayfield, Director of Community & Economic Development presented this item. The continuation of the Public Hearing from the August 15, 2017 meeting started at 6:57 pm.

**Robert Mortonson**, resident (address on file), spoke in favor of the Ordinance  
**David Hatzenbuehler**, resident (address on file), spoke in favor of the Ordinance  
Public Hearing closed at 6:59 pm

**COUNCIL ACTION (Item 8D.):**

**APPROVED**

**Mayor Pro Tem Jennifer Berthiaume moved to approve Ordinance Number 17-09-1059 amending Chapter 30 Zoning of the Murphy Code of Ordinances, related to requirements for accessory buildings. Deputy Mayor Pro Tem Sarah Fincanon seconded the motion. For: Unanimous. The motion carried by a vote of 7-0.**

- E. Consider and/or act to approve Ordinance Number 17-09-1060 amending Chapter 10, Article 10.04, Property Maintenance related to discarding yard waste onto the street, of the Murphy Code of Ordinances.

Jared Mayfield, Director of Community & Economic Development, and Tim Rogers Public Services Director both discussed this item. Council requested more information such as checking with the peer cities to see how many of them have this type of ordinance and to bring this back to a future meeting.

**Robert Mortonson**, resident, (address on file) not in favor of this type of ordinance with a fine attached.

**COUNCIL ACTION (Item 8E.):**

**NO ACTION**

**Consider the proposed code amendment.**

- F. Consider and/or act on the application of Homeyer Engineering, Inc. for approval of a final plat of Fort Child Activity Center Addition, Lot 1, Block 1. The property is located on 1.185 acres, having the legal description of Abstract 403, Issac Herring Survey.

Jared Mayfield, Director of Community & Economic Development presented a PowerPoint location of the final plat of the Fort Child Activity Center Addition.

**COUNCIL ACTION (Item 8F.):**

**APPROVED**

**Mayor Pro Tem Jennifer Berthiaume moved to the application of Homeyer Engineering, Inc. for approval of a final plat of Fort Child Activity Center Addition, Lot 1, Block 1. The property is located on 1.185 acres, having the legal description of Abstract 403, Issac Herring Survey. Deputy Mayor Pro Tem Sarah Fincanon seconded the motion. For: Unanimous. The motion carried by a vote of 7-0.**

- G. Consider and or act on the Crossing Guard Staffing Level.

Police Chief Arthur Cotten explained the need for FTE's for crossing guards and

requested a change in wording in the budget. The item is budget neutral.

**COUNCIL ACTION:**

**APPROVED**

**Council Member Don Reilly moved to approve an increase to the crossing guard staffing level. Deputy Mayor Pro Tem Sarah Fincanon seconded the motion. For: Unanimous. The motion carried by a vote of 7-0.**

- H. Consider and/or act upon request to ratify the Production Agreement with DataProse, LLC for utility billing services for the term October 1, 2017 through October 1, 2018 at a lower cost, and authorize the City Manager to execute the corresponding Amendment to the Production Agreement.

Karen Montgomery, Finance Director explained this item to Council.

**COUNCIL ACTION (Item 8H.):**

**APPROVED**

**Mayor Pro Tem Jennifer Berthiaume moved to ratify the Production Agreement with DataProse, LLC for utility billing services for the term October 1, 2017 through October 1, 2018 at a lower cost, and authorize the City Manager to execute the corresponding Amendment to the Production Agreement. Deputy Mayor Pro Tem Sarah Fincanon seconded the motion. For: Unanimous. The motion carried by a vote of 7-0.**

- I. Consider and/or act to approve Resolution Number 17-R-856 adopting the 2017 Parks, Recreation and Open Space Master Plan.

Matt Foster, Parks Superintendent presented this item. Council requested an overview be brought back with this item at a future meeting.

**Robert Mortonson**, resident, (address on file) comments about the Parks Master Plan

**COUNCIL ACTION (Item 8I):**

**NO ACTION**

- J. Consider and/or act upon approval of the FY18 Mowing Contract for Medians, Rights of Way and Open Space with Carruthers Landscape Management, Inc. in the amount of \$107,870.

Matt Foster, Parks Superintendent explained this item.

**COUNCIL ACTION (Item 8J):**

**APPROVED**

**Mayor Pro Tem Jennifer Berthiaume moved to Staff recommends City Council approval authorizing the City Manager to enter into a contract with Carruthers Landscape Management, Inc. in the amount of \$107,870 for contract mowing services for a three year period with an option of two, one year extensions. Deputy Mayor Pro Tem Sarah Fincanon seconded the motion. For: Unanimous. The motion carried by a vote of 7-0.**

**9. EXECUTIVE SESSION**

In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council recessed into Executive Session (closed meeting) at 7:37 pm to discuss the following:

- A. §551.071 (1) Consultation with the City Attorney when the governmental body seeks the advice of its attorney (A) pending or contemplated litigation.  
*Item A will not be discussed in Executive Session*
- B. §551.074 Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of the City Manager.
- C. §551.074 Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of the Municipal Judge.
- D. §551.074 Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of the City Secretary.

**10. RECONVENE INTO REGULAR SESSION**

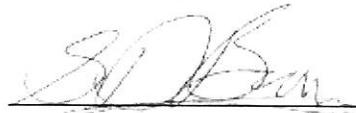
The City Council reconvened into Regular Session at 10:07 pm, pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding:

- A. §551.071 (1) Consultation with the City Attorney when the governmental body seeks the advice of its attorney (A) pending or contemplated litigation.  
*Item A was not discussed in Executive Session*
- B. §551.074 Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of the City Manager.
- C. §551.074 Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of the Municipal Judge.
- D. §551.074 Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of the City Secretary.

**11. ADJOURNMENT**

With no further business, a motion was entertained by the Mayor and the Council meeting adjourned at 10:07 pm.

APPROVED BY:



Scott Bradley, Mayor

ATTEST:



Susie Quinn, City Secretary

